

- (I) 6,000 gallons; or
- (II) the adjustment described in subsection (d)(2); and
- (ii) no reportable oil discharge history of oil; and
- (2) not require a certification of a statement of compliance with the rule—
- (A) subject to subsection (d), with an aggregate aboveground storage capacity of not less than 2,500 gallons and not more than 6,000 gallons; and
- (B) no reportable oil discharge history; and
- (3) not require a certification of a statement of compliance with the rule for an aggregate aboveground storage capacity of not more than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

- (1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and
- (2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

(d) STUDY.—

(1) IN GENERAL.—Not later than 12 months of the date of enactment of this Act, the Administrator, in consultation with the Secretary of Agriculture, shall conduct a study to determine the appropriate exemption under subsection (b)(2)(A) and (b)(1)(B) to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant risk of discharge to water.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in subsection (b)(2)(A) and (b)(1)(B) in accordance with the study.

SEC. 13002. AMERICA THE BEAUTIFUL NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS PROGRAM.

The Secretary may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 2 p.m. today, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATION

Mr. REID. I now ask unanimous consent that at 2 p.m., the Senate proceed to executive session to consider Calendar Nos. 40 and 92 en bloc; that the time until 4:30 p.m. be equally divided in the usual form, with Senator BAUCUS controlling the time from 4:15 to 4:30; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the

nominations in the order listed, with 2 minutes for debate between the votes; and that the second vote be 10 minutes in length; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I yield to my friend from Oregon.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. WYDEN. Madam President, I appreciate Senator REID yielding me this time and Senator MCCONNELL being on the floor for this, and I will be brief.

As I discussed earlier this morning, yesterday's new report from the Congressional Budget Office highlights why it would be so important to have a conference committee between the House and the Senate go to work on the budget. What the Congressional Budget Office reported yesterday was a 24-percent reduction in the budget deficit—quite a remarkable projection. That, coupled with the improving jobs and housing numbers, we now have economic experts across the political spectrum—for example, people such as Glenn Hubbard, a leading Republican economist—saying it is important for the Congress to look at these long-term economic challenges. In fact, we have economic experts of both political parties saying Washington ought to be doing more about the long-term economic challenges and not just have the day-to-day battling.

Going to a budget conference will give us that opportunity. It will give us the opportunity to look at the 10-year budget window and particularly issues such as health care and taxes.

So in the name of dealing with the long-term economic challenges highlighted by yesterday's projections, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the Chair be authorized to appoint conferees on the part of the Senate; all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, I ask unanimous consent that the Senator modify his re-

quest that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt limit.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. WYDEN. I do not. The point I have tried to make is the Congressional Budget Office didn't talk about the Senate relitigating past discussions.

Mr. MCCONNELL. Madam President, I have a parliamentary inquiry: Is that an objection?

The PRESIDING OFFICER. Does the Senator object to the modification?

Mr. WYDEN. I do.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request of the Senator from Oregon?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. WYDEN. If I could be recognized for another brief moment this highlights how unfortunate it is that we don't look to the future as the Congressional Budget Office projections laid out for us yesterday. The Congressional Budget Office didn't talk about relitigating past votes here in the Senate. They said specifically the deficit was significantly lower than earlier projected, and, on the basis of what I have cited, economic experts of both political parties are saying it is time to look to the long-term challenges, particularly Medicare and taxes. I came today to say that a budget conference would provide that kind of window: the opportunity to look particularly at long-term health care challenges such as chronic care and Medicare.

I see my colleague from the Senate Finance Committee, who knows we have been talking about tax reform, Democrats and Republicans; again, a bipartisan opportunity we could achieve through a conference. I proposed that today, based on the new evidence from yesterday. Regrettably, we can't go to conference because it seems the leader on the other side will only go to conference if we can relitigate the stuff that happened in the Senate which he lost.

I hope colleagues will look at that new Congressional Budget Office report. I hope they will look at the jobs picture, the housing starts, all of which seem to be improving in the short term. I hope they will pay more attention to what economic experts of both political parties are saying, which is we ought to be looking to our long-term challenges—particularly in health care and taxes—with the budget conference between the House and the Senate providing an opportunity to look at that 10-year window. We could do exactly what economic experts of both political parties are talking about. I think it is unfortunate we have not been given that opportunity today and I hope we will be given it in the days ahead.